

DIST/OFFICE	DOCKET YR.	DOCKET NUMBER	FILING DATE MO. DAY YEAR	J	N/S	O	R	R 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	DOCKET NUMBER
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PLAINTIFFS

THE F & M BANK & TRUST COMPANY,  
Trustee

DEFENDANTS

*dismissed 12-27-78*  
G. L. BARTLETT & CO., INC.,  
GARY L. BARTLETT, MID-WEST  
PRODUCTS CORP. OF OKLAHOMA, INC.  
B. J. ELLIS, EARL DEAN MUSIC, FRED  
W. RAUSCH, JR., R. J. ALLEN &  
ASSOCIATES, INC., VANGUARD  
SECURITIES CORPORATION,  
CORAL RIDGE INVESTMENTS, INC.,  
STEWART SECURITIES CORPORATION,  
FIDELITY SECURITIES, INC.,  
PAUL CRAFT and VINCENT MARTIN  
*dismissed 9-16-76 +  
12-27-78*

CAUSE

15 U.S.C. §§78aa, 78j(b) and 78t. Complaint for damages based on violations of Federal Securities laws, violations of Oklahoma Securities laws, Fraud and Negligence

ATTORNEYS

Royce H. Savage and  
Reuben Davis,  
Boone, Ellison & Smith  
900 World Building  
Tulsa, Oklahoma 74103  
587-0005

Fred Rausch, Jr., Pro se  
600 First National Bank Tower  
Topeka, Ks. 66603

Paul Craft, pro se  
P. O. Box 611  
Mesa, Arizona 85201

James W. Shepherd & Roy J. Davis  
1600 Midland Center  
Oklahoma City, Ok. 73102

B. J. Ellis (Pro se & for  
Drawer C Mid-West Prod.)  
Wayne, OK 73095 *moved to forwarding  
address left*

Roger W. Penner,  
Reeder, Griffin, Dysart, Taylor &  
Penner, P.C.

1221 Baltimore Ave.  
Kansas City, Mo. 64105

Defendants  
Joel L. Wohlgemuth  
1106 Philtower Bldg.  
Tulsa, OK. 74103  
(STEWART SECURITIES, INC.)

John H. Tucker  
2900 Fourth National Bank Bg.,  
Tulsa, Ok. 74119

*dismissed 12-27-78*  
Charles W. Ellis (Bartlett & Co. &  
Ellis Frates & Shotts G. L. Bartlett  
Suite 1250 101 Park Ave. Bldg.,  
Okla. City, Ok. 73102 *272-0616*

Defendant

Loyal J. Roach (Earl D.  
Suite 1614 Music) *w/*  
Fourth National Bank Bldg.  
Tulsa, Oklahoma 74119  
584-4771

*dismissed 12-27-78*  
Leamon Freeman (for Earl Music)  
623 N. Harvey, Ok. City 73102

Peter B. Atwood, pro se  
2455 E. Sunrise Blvd.  
Ft. Lauderdale, FL 33304 *524-70*

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IF CASE WAS  
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DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD 4-1-76  
JS-5  
JS-6 6-1-79

B

## PROCEEDINGS

DATE	NR.	
3-25-76	1	Complaint, filed. Summons issued. rm
4-12	2	Answer, filed, by Fred W. Rausch, Jr. jj
4-19	3	Answer, filed by Paul Craft. t
4-19	4	Appl. for ext. of time to ans. fld by dfts. B. J. Ellis & Mid-West Products Corp. v (s)
4-19	MO	The Court has for consideration the application of the defts. B. J. Ellis & Mid-West Products Corp. of Oklahoma for an extension of time w/in which to plead or answer, & having noted that the Pltf. has no objects, IT IS, ORDERED that Defts B. J. Ellis & Mid-West Products Corp. of Oklahoma be & they are hereby granted an extension of 20 days from this date w/in which to plead or answer & said motion is hereby sustained. (AEB-J)b ltr Mld.
4-28	5	Application of Defts. G. L. Bartlett Inc. and Gary Bartlett for enlargement of time to ans compl., filed. t 0-J
4-29	MO	The Court has for consideration the Appl. of G. L. Bartlett & Co. and Gary L. Bartlett for an extension of time to ans. Pltf's complaint, and the Court noting that counsel for pltf, has no objection and good cause having been shown, IT IS ORDERED THAT G. L. Bartlett & Co. Inc. and Gary L. Bartlett are hereby granted until May 18, 1976 to answer pltf's complaint. (AEB-J)t cps mld.
5-4	6	Interrogatories propounded by Deft. Fred W. Rausch, Jr., to the Pltf, filed. b
5-10		Summons, ret. & filed: served Fred W. Rausch, Jr., Topeka, Ka. on 3-29-76; Secy. of State, Ok. City and B. J. Ellis, Purcell, Ok. on 3-30-76; Mid-West Products Corp, of Okla. by serving B. J. Ellis, Service Agt. on 3-30-76; Fidelity Securities, Inc. by serving Wm. T. Tidwell, Service Agt., Memphis, Tenn. on 3-30-76; G. L. Bartlett & Co. Inc. by serving Allan R. Perry, Service Agt., Phoenix, Az. on 4-1-76; Gary L. Bartlett, Phoenix, Az. 4-1-76; Paul Craft, Mesa, Az. on 4-7-76; Earl Dean Music, Norman, Ok. 4-20-76; <u>unserved</u> as to Vincent Martin, Scottsdale, Az., <u>Stewart Securities Corp.</u> , St. Petersburg, Fl., Coral Ridge Investments, Inc. and R. J. Allen & Assocs., Ft. Lauderdale, Fl., and Vanguard Securities Corp., Ft. Lauderdale, Fl. (USM \$72.82)g
5-10	7	Defts, Mid-West Products Corp. & B. J. Ellis, Answer, filed. t
5-14	8	Answer of Earl Dean Music, filed. g
5-18	9.	Defts. G. L. Bartlett & Co., Inc., and Gary L. Bartlett's Motion to dismiss and to strike class allegations, filed. k
5-18	10.	Memorandum in support of defts. Bartlett & Co. and Gary Bartlett's motion to dismiss, filed. k
5-19	MO	It is ordered by the Court that the Pltf. is granted ten (10) days to repond to defts. Bartlett & Co. and G. L. Bartlett's Motion to Dismiss and to strike class allegations. (AEB-J)k cps mld
6-2	11.	Pltf's answers and objections to interros. propounded by deft. Rausch, filed. k
6-4	12.	Pltf's response to defts. G. L. Bartlett & Co. and Gary L. Bartlett's motion to dismiss, filed out of time with leave of Court. (AEB-J)k
6-4	13.	Brief in support of objections to interros., fld. by Pltf. v
7-26	MO	Case referred to Magistrate Morris L. Bradford for findings and recommendations on defts' motions to dismiss & to strike. (AEB-J)k

-contd.-

CIVIL DOCKET CONTINUATION SHEET

**B**

PLAINTIFF	DEFENDANT	DOCKET NO. <u>76-127-<del>Ac</del></u>
F & M BANK & TRUST CO., Trustee	G. L. BARTLETT & CO., et al	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1976 7-27		Summons, ret. & filed: served Helen Podskalan 7-2-76, and Bryson K. Lovejoy 7-8-76, both at Plantation, Fl., Peter B. Atwood 7-6-76, Anne H. Ahrend 7-7-76, & Leo P. McKee 7-13-76, all at Ft. Lauderdale, Fl., <u>unserved</u> as to R. J. Allen, Tamarac, Fl., Charles Diaz, Plantation, Fl., Linda S. Grandmason, St. Petersburg, Fl. and Herman Goldsmith, Pompano, Fl. (USM \$49.16)g
8-11	14	Motion to quash service of summons, filed by Peter B. Atwood.k
8-11	MO	It is ordered by the Court that the pltf. file a responsive brief within ten days to the mot. to quash service of summons filed by Peter B. Atwood. (AEB-J)k cps mld
8-23	15	Response of F&M Bank & Tr. Co. to mot. to quash summons, filed. g
8-24	16.	Order, fld., that the mot. to quash service of summons fld. by Peter B. Atwood is sustained. (AEB-J)v -cps. mld.
9-14	17.	Mot. of Pltf. F&M Bank to Dismiss, fld. v (o as part of mot. to J)
9-16	--	Order, fld. as part of mot., dismissing Fidelity Securities, Inc. and Vincent Martin w/o prej., fld. & entered. (AEB-J)v -cps. mld.
10-8	18.	Entry of appearance of Loyal J. Roach, atty. for deft. Earl Dean Music, filed.s
10-22	19.	Appli. withdrawal as atty of record of Leamon Freeman, filed.lm <i>atty to send in 0</i>
11-1	20.	Order, filed, allowing Leamon Freeman to withdraw as attorney of record for Earl Dean Music.s (AEB-J) cps. mld.
12-22	21.	Mot. & Order, filed, granting pltf.'s mot. to dismiss deft. Paul Craft without prejudice. (AEB-J)k cps mld
1-18-77	--	Alias summons issued this date to Howard William Alexander. v
1-18	--	Return on U.S. Marshal's Service, Alias Summons & Summons, fld. <u>Re Alias Summons:</u> Unable to serve Lynda Stewart (12-22-76 date of endeavor). <sup>4/10</sup> Served Helen Podskalan in Plantation, Florida, on 1-7-77 w/fees of \$8.76. <sup>4/10</sup> Served Leo P. McKee by serving wife Betty McKee in Fort Lauderdale, Fla., on 1-3-77 w/fees of \$6.40. <sup>4/10</sup> <u>Re Summons:</u> Returned unexecuted as to Howard William Alexander as no listing whatsoever. Fee of \$1.00. v (TOTAL FEES: \$18.16)
2-4		Alias summons, ret. & filed unserved as to Howard Wm. Alexander. (USM \$1.00)g
2-8	--	Alias summons issued this date to Eugene V. Stewart. ph
2-16	--	Alias summons issued to Howard Wm. Alexander on this date. v
2-22		USM service of alias summons, ret. & filed: served R. J. Allen Huntsville, Tx. 2-8-77. (USM \$31.60)g
2-23	22	Deft. Stewart Securities, Inc., Appl. for ext. of time to 3-10-77 to plead or answer,w/order granting <u>extension</u> , fld. ho (JCS-Clk) cps mld by atty.
3-8	23	Order fld. ordered that the mot. to dismiss fld. by the deft. G.L. Bartlett & Co., Inc. & Gary L. Bartlett Be overruled in its entirety (AEB-J) cps mld. ho
3-8		Return on USM service of alias summons and compl., filed. Served Eugene V. Stewart on 2-15-77 at New York, NY, w/ fees of \$4.36.k

## CIVIL DOCKET CONTINUATION SHEET

B

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE 1977	NR.	PROCEEDINGS	
3-8		Return on USM service of alias summons & compl., filed. Served Howard Wm. Alexander on 2-28-77 at Griffith, Indiana, w/ fees of \$6.40.k	
3-11	24.	Answer of Deft. Stewart Securities Corp., fld. v	
6-14	25.	Answer of deft. G. L. Bartlett & Co., Inc., filed out of time with leave of Court. (AEB-J)k	
6-14	26.	Answer of deft. Gary L. Bartlett, filed out of time with leave of Court. (AEB-J)k	
7-1	27	Pltf. notice to take depo. of Earl Dean Music on 7-26-77 in Tulsa. fld. ho	
8-15		Depo. of Earl Dean Music taken of behalf of Pltf. before Linda Melton LSR, on 7-26-77 in Tulsa. with exhibits. fld. ho	
9-14	MO	Parties are directed to hold a pre-trial conf. on or before 10-27-77 & file a pre-trial order on or before 11-3-77. (AEB-J) cps mld. ho	
9-29	28	Pltf. mot. for ext. of time to conduct PT. fld. ho O to J.	
9-29	29	Order, fld. granting an ext. of time until 12-26-77 for parties to conduct PT. (AEB-J) cps mld. by atty. ho	
10-19	30	Pltf. Request for production and copying of documents, fld. mm	
11-21	31	Deft. Fred Rausch, Jr. response to Pltfs. request for production & copying of documents. fld. ho	
11-23	32.	Pltf's notice to take deposition upon oral examination of Fred W. Rausch, Jr., on 12-14-77 at Tulsa, OK, filed.k	
12-19	--	Deposition of Joe Cox, taken on behalf of defts. Bartlett, on 11-4-77, before Evelyn E. Rutherford, CSR, w/ costs of \$258.00, filed.k	
12-22	33.	Pltf's appl. for 90 days to conduct pre-trial and submit an approved pre-trial order, filed.k	
12-22	34.	Order, filed, granting parties until 3-27-78 to conduct pre-trial. (AEB-J)k cps mld to movant	
1978			
1-23		Certified questions to the depo. of Fred W. Rausch, Jr. before Patricia Walker, CSR taken on behalf of the Pltf. on 12-14-77. fld. ho	
1-23	35	Pltf. not. to take depo. upon oral exam. of Terry Guy Shipley on 2-3-78 in Noble, OK. fld. ho	
3-1		Depo. of Terry Guy Shipley taken on behalf of the Pltf. on 2-3-78, by Larry Shalberg, CSR, w/fees of \$225.75 pd. by Pltf. fld. ho	
3-27	36.	Pltf's appl. for 90 days to conduct pre-trial and file pre-trial order, filed.k O to J	
3-28	37	Order, filed, that pre-trial is extended for 90 days, or until 6-25-78. (AEB-J)k cps mld to movant	
5-22	38	Motion of deft. Rausch for leave to file an amended answer and counterclaim with affidavit of James W. Shepherd, filed.k <i>O and ans in file</i>	
5-23	MO	IT IS ORDERED that the pltf. respond to deft. Rausch's mot. for leave to file an amended answer and counterclaim on or before 5-29-78. (AEB-J)k cps mld	
5-31	39	Pltf's mot. for ext. until 6-13-78 to respond to mot. of deft. Rausch for leave to file amended answer & counterclaim, filed.k O to J	
5-31	40.	Order, filed, granting pltf. until 6-13-78 to respond to mot. of deft. Rausch for leave to file amended answer & counterclaim. (AEB-J)k cps mld to movant	

## CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1978			
6-13	41	Pltf. response to mot. for leave to file amended ans. & counterclaim, fld. ho	
6-22	42	Pltf. mot. for ext. of time to conduct PT. fld. ho 0 to J.	
6-26	MO	Pltf's appl. is granted and the parties are granted an additional 60 days to complete pre-trial. (AEB-J)k cps of orig. order mld to movant	
8-9	43	Pltf's interrogs. to defts. G. L. Bartlett & Co. and Gary L. Bartlett, filed.k	
8-9	44	Pltf's interrogs. to deft. Fred Rausch, Jr., filed.k	
8-14	45	Motion of defts. G. L. Bartlett & Co., Inc., and Gary L. Bartlett for S/J, filed.k	
8-14	46	Brief in support of defts', G. L. Bartlett & Co., Inc., and Gary L. Bartlett, mot. for S/J, with various evidentiary matters attached, filed.k	
8-14	MO	Pltf. is ordered to file a responsive brief w/in 10 days to mot. for S/J filed by defts. G. L. Bartlett & Co. and Gary L. Bartlett. (AEB-J)k cps mld	
8-24	47	Pltf. mot. for ext. of time to respond to Defts. Bartlett & Co. & Bartletts mot. for S/J. fld. ho 0 to J.	
8-25	48	Order, filed, granting pltf. until 9-8-78 to respond to the mot. for S/J filed by defts. G. L. Bartlett & Co., Inc. and Gary L. Bartlett. (AEB-J)k cps mld to movant	
8-31	49.	Pltf's motion for extension of time w/in which to conduct pre-trial, filed. b OtoJ	
9-6	50	Order, filed, granting the parties until 10-24-78 to conduct pre-trial. (AEB-J)k cps mld to movant	
9-6	51	Pltf. response to Defts. mot. for S/J. fld. ho	
11-9	MO:	Case set for disposition before Mag. Rizley for failure to file pretrial order on 11-30-78, at 9:30 A.M. (RSR-Mag) b nts mld	
11-15	MO	Case is stricken from disposition docket set for 11-30-78 at 9:30 am. pending ruling by the Court on deft. Rausch's mot. to file amended answer & counterclaim & on defts' Bartletts, mot. for S/J. (RSR-Mag)k ntc mld	
12-29	52.	Order, filed, that motion for S/J of defts G.L. Bartlett & Co., & Gary L. Bartlett, which this Court has considered as a motion to dismiss, is hereby granted, & that Pltf. F&M Bank & Tr. Co., be given 15 days w/in which to join or substitute the proper parties plaintiff, & FURTHER ORDERED that motion for leave to file amended answer & Counterclaim of Deft. Fred W. Rausch, Jr. be & is denied without prejudice. (AEB-J)b cps mld	
1979			
1-9	53	Order, fld. extending time for joining proper parties, Upon oral appl. of Pltf. the order entered by the Ct. on 12-29-78 is modified to provide that the Pltf. be given until 3-10-79 to join or substitute proper parties Pltf. (AEB-J)ho c/m by movant.	

## CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF	DEFENDANT <b>B</b>	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE 1979	NR.	PROCEEDINGS
3-5	54	Order, fld. extending time for joining proper parties. It is ordered that the order of 12-29-78 is modified & extended to provide that a period of an additional 60 days is granted w/in which substitution of proper parties Pltf. may be accomplished. (HDC-J)ho c/m
3-16	MO	Case transferred to Judge H. Dale Cook. (JCS-Clk)k
5-30	55	FINAL ORDER OF DISMISSAL, fld & entered. (HDC-J)b cps mld
7-11		DEPOSITIONS returned to counsel. g